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SUBJECT: Nonproliferation Meetings in Cairo: UNSCR 1540 Workshop and EXBS Bilaterals with Egypt

11. (U) Key Points: -- A United Nations multilateral workshop for African countries on implementation of UNSCR 1540 was held December 7-10, 2009 in Cairo. The workshop focused on countering WMD proliferation through strengthened border controls.

-- U.S. -Egypt bilaterals on the margins of the workshop confirmed GOE interest in technical assistance related to the WMD non-proliferation goals of UNSCR 1540, and provided under the USG's Export Control and Related Border Security (EXBS) Program. USG assistance offer was sent to MFA February 1, 2010.

-- The UN workshop provided a platform for government representatives from the African continent and various international and regional organizations to discuss efforts and subject areas related to their implementation of UNSCR 1540, particularly the main elements of border and export and transshipment controls.

-- Additional themes highlighted throughout the UN workshop were connecting potential assistance programs with the needs identified by participating member states, as well as enhancing cooperation with international or regional organizations in provision of such assistance. Effective use of the 1540 Assistance Template was encouraged throughout the event as a means to request assistance.

12. (U) Workshop Background: UNSCR 1540 obligates all UN Member States to develop and maintain "appropriate, effective" measures to improve their indigenous capabilities to counter proliferation of WMD against, inter alia, terrorist threats. The resolution has also established a Committee responsible for implementation (the Committee). In 2008, the Security Council unanimously agreed to UNSCR 1810, renewing the Committee for an additional three years. UNSCR 1810 also outlines funding mechanisms, including voluntary contributions such as those used in support of this workshop, which was organized by the UN Office for Disarmament Affairs with funding from the Governments of Norway, the United States, and the European Union. There had been two (1540-focused workshops) already, though the Cairo meeting was the first one focused on a specific element of 1540.

Opening Remarks

13. (U) The Cairo workshop was well attended by representatives from Egypt, Democratic Republic of Congo, Ghana, Kenya, Morocco, Nigeria, South Africa, Uganda, and Republic of Congo. Charge Matthew Tueller provided USG opening remarks; Khaled Shamaa, Deputy Assistant Foreign Minister for Disarmament Affairs, Ministry of Foreign Affairs provided opening remarks for Egypt. Shamaa stated that countries that are not NPT members are a threat to international security. He also stated that state actors who possess nuclear weapons are also a threat to international and regional security. Daniel Shepherd, UNSCR 1540 Vice Chairman, stated that Africa is vulnerable to terrorist attacks and it is important that countries have necessary measures in place to protect material such as uranium or radiological facilities that exist in some countries in the region. Annalisa Giannela, European Union, remarked that UNSCR 1540 reinforces the need to control WMD material and illicit trafficking. She also pointed out that the European Union has pilot projects to assist countries (Morocco, United Arab Emirates) to implement export controls. Heidi Johansen, First Secretary, Embassy of Norway gave opening remarks;

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she said Norway supports President Obama's vision of a world free of nuclear weapons.

Regional Themes

14. (U) Several themes emerged during the formal and informal sessions. Of particular note was the repeated focus on utilizing regional and sub-regional organizations to establish cooperative efforts, strategies, and mechanisms in Africa. The participants pointed out that the resolution is complex and difficult to implement for small countries that are poor and lack resources and expertise. Also, some participants from Ghana and Republic of Congo said the priority for most of the countries in the region is poverty, disease, and clean water, not proliferation of WMD. They also noted this topic is new for many of the countries, creating a need to make their leadership aware of the issue. Many of the African countries have not submitted a report to the UNSCR 1540 Committee, the most fundamental step to receive assistance. Mr. O'Neil Hamilton, UNSCR 1540 Caribbean Regional Coordinator, mentioned most of the country reports had information that could be assessed. The Kenya delegation noted collection of revenue is the priority for Kenya, rather than export controls or border security. The Uganda delegation pointed out that in Africa there are artificial borders, with families divided between countries and effectively free movement of persons, making difficult any imposition of border controls. However, all participants requested further discussions on engagement for export controls and border security and asked how their governments can request such engagement with USG and other assistance programs.

Country Presentations

Democratic Republic of Congo

15. (U) The delegation from the Democratic Republic of Congo (DRC) described DRC's regulations on mining, nuclear energy, bio products, chemical materials, membership in various nonproliferation regimes, and the Pelindaba Treaty. The delegation acknowledged the need to modernize many existing regulations. DRC noted that its assistance request has gone unanswered by the UNSCR 1540 Committee, and stated that DRC needs international support to develop legal infrastructure related to WMD; the DRC added that their enforcement agencies were underdeveloped and needed assistance. DRC also stated that proliferation is not an African priority compared to development issues (i.e., refugees, security, nutrition, water) and that if awareness is not raised continent-wide the issue will continue to be seen as irrelevant. DRC representatives noted difficulty with border security given that it is a large nation with multiple neighbors (nine in all), and that post-war conflict conditions also apply. DRC identified two areas requiring immediate assistance: 1) uranium mine security, and 2) a system of protection on the borders.

Congo

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16. (U) The delegation from the Republic of Congo discussed Congo's progress to address proliferation issues. Congo acceded to the CWC, the focus of which is on prevention of CWC-related terrorist attacks, even though Congo does not develop or manufacture any chemicals. The delegation mentioned that Congo has established a national committee to assess 1540 implementation and suggested there should be regional and sub-regional levels for 1540 implementation to enhance cooperation and integration. During the bilateral discussion, the delegation mentioned that Congo needs equipment to improve its border security.

Egypt

17. (U) The Government of Egypt (GOE) presented Egypt's efforts to meet UNSCR 1540 obligations. Egypt said it has 1540 implementing legislation and is in the process of passing new nuclear energy regulations that will take precedent over all other laws related to nuclear material, transportation, ownership and licensing and includes punitive measures. The new law is expected to be passed in March 2010. Egypt did not mention in the UN setting any challenges in implementation or any need for assistance. Egypt insisted that nonproliferation must be paired with disarmament.

Ghana

18. (U) Ghana mentioned that it has regulations for food safety. Ghana's enforcement agencies have the right to stop and inspect any arms cargo and has a border patrol unit within the Ghana

Immigration Service (GIS) which is focused on liberalization of movement for people and trade. A Terrorist Interdiction Program/Personal Identification, Secure Comparison & Evaluation System (TIP/PISCES) capability is installed at only four main ports of entry. Ghana considers transit cargo its highest threat/vulnerability and is considering installation of additional scanners. Ghana requested assistance with physical infrastructure, institution building, capacity building, and acquisition of state-of-the-art equipment and technology. Ghana requires mandatory examinations for radiological sources and electronic goods, chemicals, food and drugs. During bilateral discussions, Ghana requested workshops to be held in Ghana to better understand WMD issues and also requested training to identify WMD commodities and equipment to detect them. Ghana is currently working with U.S. Customs and Border Protection on inspection techniques and procedures, but their equipment is inadequate and has no technical expertise.

Kenya

¶9. (U) Kenya noted existing legislation is not specific to implementation of 1540 obligations. Customs' primary function is revenue generation - 40% of government revenues come from Customs duties on imports. Other priorities, in diminishing order, include trade facilitation, enforcement, compiling trade statistics, and finally enforcing regional and international agreements (i.e., 1540). Kenya does not have WMD subject matter experts, but has

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benefitted from received limited seminars through the EXBS program. Kenyan customs conducts limited inspections for imports and exports. Kenya has scanners and cameras at the port of Mombasa, but scans only imports not exports. Kenya claims to have a targeting center and conducts limited targeting and risk management and requires advanced manifests. In 2008, Kenya began negotiations with the Department of Energy/Megaports program to install radiation portal monitors at the port of Mombasa. Kenya has limited patrol boats to secure its coastline, but the delegation mentioned the USG has provided radiation pagers and K9 unit in Mombasa and Nairobi airport. The delegation commented their focus is on imports for tariff collection, and recommended caution, as anything that interferes with exports will be opposed and/or seen as more of a benefit to the United States than Kenya.

Morocco

¶10. (U) The Moroccan delegation highlighted the link between terrorism and proliferation, particularly with regards to transshipment. Morocco has draft export control legislation that is going through an inter-ministry review. The delegation also heightened its cooperation on this issue with the United States, and EU.

Nigeria

¶11. (U) Nigeria's primary legislation addressing nonproliferation policy stems from adherence to the NPT, CWC, and BTWC. Nigeria has a National Nuclear Security Committee comprised of several agencies

including military, Customs, Police, Internal Security and their National Nuclear Regulatory Authority (NNRA). NNRA is responsible for administering nuclear regulations including licensing to use, import, export, and transfer nuclear and related materials. NNRA has collaborated with the IAEA to repatriate sources to their country of origin, and has received equipment training from DOE. The delegation stated Nigeria has one point of entry for radiological sources, Lagos International Airport, which also has a portal radiation monitor provided by the European Union. Nigeria has an active BWC Advisory Committee to assist with compliance with OPCW and BWC and has received security service training and provision of equipment through the IAEA. During the bilateral discussion, the delegation requested explosives detection support for Nigeria's police, especially using a train-the-trainer approach; discussed border challenges including lack of equipment to detect WMD or other contraband; noted inspection rates at airports are very low; and requested assistance in capacity-building for Customs.

South Africa

¶12. (U) The only participant from South Africa was a representative from its UN mission in New York, who noted South Africa is considered a developing country but has advanced technology and industrial sectors. The delegate stated South Africa is a member of all the international and multilateral regimes, yet supports Non-Aligned Movement policy stances. South Africa's Nonproliferation Act (Act 87) of 1993, amended in 1995 and 1996, governs all nonproliferation policy and controls, including export controls. The implementation of UNSCRs is managed by South

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Africa's constitution.

Uganda

¶13. (U) Uganda borders five countries and is a major transit route. There is no permit or license requirement for goods in transit and the country is in the process of purchasing a cargo tracking system to monitor the movement of transit traffic. Uganda's controls focus on stopping any diversion into the domestic market, so as to safeguard revenue collection; its controls therefore focus only on imports. Export and import declarations are automated. There are 34 customs stations linked together through a computer network. Uganda has close customs cooperation with bordering nations, especially under sub-regional organizations, East African Community (EAC), which covers three bordering countries and a customs union protocol, and COMESA (Common Market for Eastern and Southern Africa). Uganda often shares advanced data and holds joint border patrols with the Kenyan Revenue Authority (KRA) - and described Kenya as the "gateway to the region" for trade. Police and military cooperation in the EAC is under the Peace and Security Committee. Uganda also has a national task force to stop small arms. Uganda's challenges, as described, include limited cooperation with the DRC and Sudan; porous and artificial borders (though communities straddle the border with frequent cross-border movement, cooperation between local border communities is good); limited resources (with priority for resource allocation given to revenue-generating activities); and political instability which increases potential for illicit trade. During bilateral discussions, the delegation requested border security assistance and more information on export control legislation.

U.S. - Egypt Bilaterals

¶14. (SBU) In a U.S.-Egypt bilateral on the margins of the workshop, First Secretary Ahmed Shandawily of MFA's Disarmament Division, which reports to Khaled Samaa (para 3 above) supported the idea of additional export control cooperation. Mr. Shandawily stated that he would brief the Minister of available training and provide a response to Embassy Cairo on any training or assistance related to UNSCR 1540 that USG offers.

¶15. (SBU) USG's UN workshop delegation head, Varvara Psaros, from ISN/ECC and Embassy Econoff held separate bilaterals with Egyptian officials, at the Egyptian Customs Authority (ECA) and MFA December 8 and 10. Psaros and Econoff met with Ms. Neveen El-Husseiny, First Secretary, in MFA's Americas Division, to brief her on the EXBS program and urge further engagement on export controls with the GOE. Ms. El-Husseiny was familiar with UNSCR 1540 and said cooperation with the EXBS program would benefit Egypt. However, the EXBS program would need to provide a specific assistance proposal for the Minister to review. Also, Psaros and Emboff called separately on Egyptian Customs Authority (ECA), Commissioner, Ahmed Farag Seoudi, and Mr. Galal Ibrahim Abo El-Fotouh, Customs Advisor to the Minister of Finance and former ECA Commissioner. Both welcomed USG training and equipment aimed at enhancing border security and reiterated the success of the August 2009 International Border Security Training held for ECA in Cairo. ECA asked that USG route any proposed training to ECA via MFA before scheduling any follow-on training and procurement of equipment.

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¶16. (SBU) Subsequently, Embassy Cairo received proposed training menu from Department EXBS authorities (ISN) and on February 1 passed the training menu to MFA, which confirmed receipt and promised to share with Egyptian Customs, Maritime Authority, and other GOE technical agencies as appropriate.

¶17. (SBU) A draft of this cable was cleared with the U.S. UNSCR 1540 Coordinator Thomas Wuchte in ISN/CPI. For further information and background on the EXBS program, please contact Thomas Wuchte at WuchteTA@state.gov.
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